

Statement of Opposition to Connecticut Senate Bill 1087

Bill Number: 1087

Bill Title: AN ACT CONCERNING SEXUAL OFFENDER REGISTRATION LAWS, RESIDENCY RESTRICTIONS FOR REGISTERED SEXUAL OFFENDERS AND REENTRY HOUSING

Position on Bill: Opposition

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Summary of Reasons for Opposition:

Empirical evidence clearly indicates all key aspects of this bill are overly costly, ineffectual, heighten empirically known risk factors for sexual reoffending, undermine the current effective collaborative supervision system, create an environment for additional trauma to sexual abuse survivors, and mislead the general public about sexual offense risk.

Following is a summary of the key points.

Point One – Residency Restriction Laws are Ineffective: Several states and studies have already shown residency restriction laws to be highly ineffective:

- The Minnesota Department of Corrections tracked the re-offense rates of adult sexual offenders and concluded, “not a single re-offense would have been prevented by an ordinance restricting where sex offenders could live” (Duwe, Donnay, & Tewksbury, 2008).
- The Colorado Department of Public Safety (2004) concluded residency restrictions are unlikely to deter sexual offenses and such strategies should not be pursued.

Point Two – Residency Restriction Laws Contribute to Factors Which Increase Community Risk:

- “Research has consistently shown that offenders who have positive support systems, social bonds to the community, and stable housing and jobs, and whose basic human needs are met, have significantly lower recidivism rates” (Tabachnick & Klein 2011)

- “Multiple studies have shown that sex offenders who are subject to public notification and residence restrictions suffer from significant stress factors, such as the loss of a job or home, harassment, and physical assault (Tabachnick & Klein 2011).
- Residency restrictions eliminates almost all housing options in more urban areas
 - 99% of residential properties in Orlando, Florida are within 2,500 feet of schools, parks, day care centers, bus stops (Zandbergen & Hart, 2006)
 - 92% of available residential areas in an urban New Jersey area was covered by a 2,500 residency restriction (Chajewski and Mercado, 2008)
 - Colorado Department of Corrections (2004) found residency restrictions left few housing options

Point Three: Connecticut already has a Highly Successful Collaborative Model Which Significantly Decreases Risk to the Community. Bill 1087 Would Significantly Hinder These Efforts:

- Connecticut sexual re-offense rates for significant sexual offenses was 1.77% from 2005 to 2010 (Kuzyk, 2010).
- Connecticut uses an extensive collaboration system in which supervising officers use empirically based risk protocols and collaboration with treatment evaluators, treatment providers and victim advocates to determine the safest housing situations with each sexual offender.
 - Residency restrictions would artificially limit viable housing and employment situations, heightening empirically identified risk factors.

Point Four: Offense Based Residency Restriction and Public Notification Laws Will Deplete Law Enforcement and Community Supervision Resources:

- The empirically identified Risk Principle indicates in order to maximize community safety resources need to be more intense and longer in duration for high risk offenders, while being less intense and shorter in duration for lower risk offenders (Andrews 2003; Andres, Bonta & Wormith, 2006).
- Offense based registry systems, as is currently in Connecticut and perpetuated in this bill, ignores this principle. The consequence is a costly and ineffective system in which resources are diluted towards the high risk offenders and overly applied to lower risk offenders.
- Offense based systems require law enforcement and supervision officers to monitor all offenders, regardless the level of risk. This is a cost inefficient and ineffective method of risk reduction.

Residency Restriction and Public Notification Laws Will Be Detrimental to Adolescents with Problem Sexual Behaviors and Heighten Empirically Identified Risk Factors:

- Juveniles are more likely than adults to not continue with sexual assaults (Finkelhor et.al., 2009).
- Policies which contribute to the labeling and stigmatization of sexual offending can have a significant impact on the adolescents’ ability to develop healthy and safe lives.
- Residency restriction laws are “counterproductive to the goal of these youth developing the capacity to live successfully in a pro-social environment” (Ryan, 2000; as cited in Tabachnick & Klein 2011).

Residency Restriction and Public Notification Laws Will Enhance Potential Trauma to Sexual Abuse Survivors:

- Between 90% to 95% of sexual offenders and victims know one another prior to the offense (Snyder, 2000).
- Any laws which puts more attention on the offenders will subsequently put more unwanted attention towards sexual abuse survivors.
- Sexual abuse survivors experience many secondary traumas that are directly correlated with actions related to the offender Hindman, J. (1989).
- “Furthermore, it is well documented that the family members of sexual abusers often struggle with the stress, shame, and stigma associated with having someone close to them exposed as a sex offender” (Tabachnick & Klein 2011)
- It is generally believed the majority of sexual abuse victims do not disclose the sexual offenses to authorities. For example, one study found that approximately 12% of child abuse is ever reported (Hanson, Resnick, Saunders, Kilpatrick, & Best, 1999).

Offense Based Residency Restriction and Public Notification Laws Increase Miscommunication and Misinformation to the public:

- Infers sexual offenders are largely stranger offenders who will prey on children and other vulnerable populations in the public.
- Gives a false sense of security by suggesting community restrictions will control the inferred offenders.

Connecticut Already Has Much of the Infrastructure for a More Empirically Sound System of Community Safety Monitoring:

- There is currently a comprehensive collaborative model used to address the supervision of post-conviction sexual offenders. This model includes specialized identification of the specific risks and needs of each sexual offender. This information is gathered and reviewed at a minimum by the supervising officer, treatment provider and victim advocate. The collaborative and specialized team assists the supervising officer in making effective community supervision decisions, including home placements, employment positions and persons with whom the offender is allowed to interact.
- A risk based registration system would effectively be a part of an already successful model.
 - Risk evaluations are already done on all community based sexual offenders. This information can be used to dynamically update law enforcement about which offenders to pay most attention.

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